

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09	UNITED STATES OF AMERICA,)	
)	
10	Plaintiff,)	
)	Case No. MJ08-28
11	v.)	
)	
12	JOSE LUCAS ZAMORA,)	DETENTION ORDER
)	
13	Defendant.)	
	_____)	

Offenses charged:

- Count 1: Conspiracy to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), and 841(b)(1)(A), and 846.
- Count 2: Distribution of Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), and 841(b)(1)(B), and 18 U.S.C. § 2.
- Count 3: Distribution of Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B), and 18 U.S.C. § 2.
- Count 4: Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A), and 18 U.S.C. § 2.

Date of Detention Hearing: January 31, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds

the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION


- (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.
- (2) Defendant is a citizen of Mexico.
- (3) Defendant's family resides in Mexico.
- (4) There are inconsistencies about Defendant's residence in this jurisdiction.
- (5) Commission of the acts that are the subject of the complaint occurred while on probation.
- (6) Defendant has a history of failures to appear. He has also absconded in the past from probation. He also has attempts to elude arrest on his record.
- (7) There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 31st day of January, 2008.


JAMES P. DONOHUE
United States Magistrate Judge